

1 Robert B. Jobe (State Bar #133089)
2 LAW OFFICE OF ROBERT B. JOBE
3 550 Kearny Street, Ste. 150
4 San Francisco, CA 94108
5 Tel: (415) 956-5513
6 Fax: (415) 956-0850
7 Email: bob@jobelaw.com

8 Attorney for Plaintiffs.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ZILA HUMA TAHIRKHELI,) No. C 06-06041 JSW
JAHAN ZEB TAHIRKHELI,)
Plaintiffs,) MOTION FOR VOLUNTARY DISMISSAL
v.) AND [PROPOSED] ORDER
U.S. CITIZENSHIP AND IMMIGRATION)
SERVICES; EDUARDO AGUIRRE,)
DIRECTOR, U.S. CITIZENSHIP AND)
IMMIGRATION SERVICES; DAVID N.)
STILL, DISTRICT DIRECTOR, USCIS)
SAN FRANCISCO DISTRICT OFFICE;)
EVELYN UPCHURCH, ACTING)
DIRECTOR, USCIS NEBRASKA)
SERVICE CENTER,)
Defendants.)

USCIS Alien Numbers:
A 95-397-927
A 96-150-660

Pursuant to Civil Local Rule 7, Plaintiffs, Zile Huma and Jahan Zeb Tahirkheli, through counsel, request that their mandamus complaint currently pending before the Court be dismissed without prejudice. Subsequent to the filing of this mandamus complaint, the I-730 petition filed by Mrs. Tahirkheli on behalf of her husband was approved by Defendants. *See attachment.* Therefore, Plaintiffs are no longer alleging that the U.S. Citizenship and Immigration Services is delaying in adjudication of the I-730 petition.

WHEREFORE, Plaintiffs pray that this Court allow them to voluntarily dismiss their mandamus complaint, without prejudice.

1 DATED: October 12, 2006
2
3
4
5
6

/s/

Robert B. Jobe
LAW OFFICE OF ROBERT JOBE
550 Kearny Street, Ste. 150
San Francisco, CA 94108
(415) 956-5513

Attorney for Plaintiffs

7 **[PROPOSED] ORDER**

8 IT IS HEREBY ORDERED that Plaintiffs' motion for dismissal of the action without
9 prejudice be granted.

10 DATED: October 16, 2006
11
12
13


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE